

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAMEN S. BACHMAN,

Petitioner,

v.

PAT GLEBE,

Respondent.

CASE NO. C10-840-MJP

ORDER TRANSFERRING  
§ 2254 PETITION

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, the remaining record, and noting the absence of any objections, does hereby find and Order:

(1) The Court adopts the Report and Recommendation.

(2) This case is TRANSFERRED to the Court of Appeals for the Ninth Circuit, in the interests of justice, pursuant to 28 U.S.C. § 1631 and Circuit Rule 22-3(a). Petitioner is advised that this transfer does not of itself constitute compliance with § 2244(b)(3) and Circuit Rule 22-3. He must still file a motion for leave to proceed in the Ninth Circuit and make the showing required by § 2244(b)(2).

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1 (3) The Clerk is directed to close this case and transfer all original documents to the  
2 Ninth Circuit Court of Appeals. The Clerk is further directed to send a copy of this Order to  
3 petitioner and to Judge Donohue.

4 DATED this 18th day of June, 2010.

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8 Marsha J. Pechman  
9 United States District Judge  
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